

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:10-CV-343-GCM-DCK**

DAVID V. BROWN,

Plaintiff,

v.

**MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL
SECURITY,**

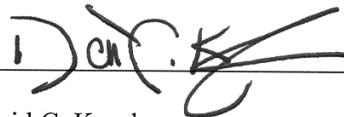
Defendant.

ORDER

THIS MATTER IS BEFORE THE COURT on Plaintiff's "Notice To Court Of Death Of Plaintiff And Motion To Stay Proceedings Pending Substitution Of Estate" (Document No. 8) filed November 23, 2010. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion, the record, and the applicable authority, the undersigned will grant the motion.

IT IS, THEREFORE, ORDERED that Plaintiff's "Notice To Court Of Death Of Plaintiff And Motion To Stay Proceedings Pending Substitution Of Estate" (Document No. 8) is **GRANTED**. Plaintiff shall file a Motion for Summary Judgment and Supporting Memorandum of Law on or before **February 23, 2011**. The Commissioner shall file a Memorandum of Law in Opposition no later than 60 days from service of Plaintiff's motion.

Signed: November 29, 2010



David C. Keesler
United States Magistrate Judge

